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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,819	12/18/2000	Toshio Takabayashi	046124-5054	2044

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MORGAN LEWIS & BOCKIUS LLP  
1111 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004

EXAMINER

ISRAEL, ANDREW

ART UNIT PAPER NUMBER

2878

DATE MAILED: 02/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/737,819

Applicant(s)  
Takabayashi et al

Examiner  
Andrew Israel

Art Unit  
2878



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Dec 18, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7, 9-11, and 13-15 is/are rejected.
- 7) ☒ Claim(s) 4, 8, 12, and 16 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5,7
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *National Stage Application*

Examiner acknowledges consideration of International Preliminary Examination Report of Application # PCT/JP99/03264 filed 18 June 1999.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1, 2, 5, 6, 9, 10, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Persyk et al (U.S. Patent # 5,148,029) in view of Ito (Japanese Patent # 63-215987). Regarding independent claims 1, 5, 9, and 13, Persyk discloses in Figure 1 and column 2, lines 40-68, a scintillator panel and a method for forming said panel, comprising: a radiation-

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transparent substrate (or backcap) 12; and a scintillator 14 formed above said backcap. Persyk does not disclose the claimed arrangement of a resin film formed on said substrate and a reflecting film formed on said resin film. Ito discloses in the Constitution a scintillator module wherein a resin layer 8 is formed below a reflecting film 7 in order to capture any stray light that might escape detection by said scintillator. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Persyk because Ito has shown that the arrangement of said resin and reflecting layers is a matter of design choice depending on what type of radiation measurements are being made and what type of mechanical strengthening is needed in said scintillation module.

Regarding claims 2, 6, 10, and 14, Ito discloses wherein at least a part of said scintillator 1 is covered with transparent organic film 8.

Further regarding claims 5 and 13, Persyk discloses in column 3, lines 1-12 an imaging device (or photodetector array) 20 disposed as to face said scintillator.

3. Claims 3, 7, 11, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Persyk et al (U.S. Patent # 5,148,029) in view of Ito (Japanese Patent # 63-215987) as applied to claims 1, 5, 9, and 13 above, and further in view of Winn et al (U.S. Patent # 5,168,540). Persyk in view of Ito does not disclose said organic film covering all surfaces of said scintillator. Winn discloses in Figure 1 wherein organic film 106 covers all surfaces of said scintillator 104. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the

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apparatus of <sup>Persyk</sup> ~~Ishii~~ in view of Ito such that said organic layer covers all surfaces of said scintillator in order to provide optimum protection for said scintillator surface as disclosed by Winn.

*Allowable Subject Matter*

4. Claims 4, 8, 12, and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. The following is a statement of reasons for the indication of allowable subject matter: regarding claims 4, 8, 12, and 16, the prior art does not disclose wherein said organic film covers all the surfaces of said scintillator.

*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ishii (U.S. Patent # 4,687,683) discloses in Figure 6 and column 3, line 63 through column 4, line 9, a scintillator panel and a method for forming said panel, comprising: a substrate 30; a flat resin film 32; a reflecting film 31 formed on said flat resin film 32; and a scintillator 30 formed on said reflecting film 31.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Israel whose telephone number is (703) 305-0382. The examiner can normally be reached on Monday-Friday from 8:30am to 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seungsook Ham, can be reached on (703) 308-4090. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7721.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

AI

*At*

February 25, 2002

  
CONSTANTINE HANNAHER  
PRIMARY EXAMINER  
GROUP ART UNIT 2878